



Rev. 12/99
For A Small Entity

#12/Notice of Appeal
W. Murga-
3/2/03 PATENTS

Attorney Docket No. ABBE-1

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of : Nancy A. Abbe
Application No. : 09/844,627 Confirmation No.: 2399
Orig. Filing Date : April 27, 2001
RCE Filing Date : November 15, 2002
For : APPARATUS FOR STORING FOOD
Group Art Unit : 3727
Examiner : Stephen Castellano

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New York, New York 10020
March 17, 2003

Box AF
Hon. Commissioner of Patents
P.O. Box 2327
Arlington, VA 22202

NOTICE OF APPEAL

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed December 19, 2002 rejecting claims 1-9, 13-17, 19-20, 24 and 26 in this patent application, for which a Request for Continued Examination under 37 C.F.R. § 1.114 was filed on November 15, 2002.

☐ Applicants respectfully request an oral hearing before the Board of Patent Appeals and Interferences. The appropriate fee is submitted herewith.

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No. EI187449291US

03/21/2003 RU0000092 09844627 160.00 OP
01 FC:2401

- ☐ The appropriate fee for a _____-month extension of time to respond to the rejection was timely paid on _____.
- ☐ An additional _____-month extension of time to respond to the rejection is requested and the appropriate extension fee is submitted herewith.
- ☒ Address all correspondence to:

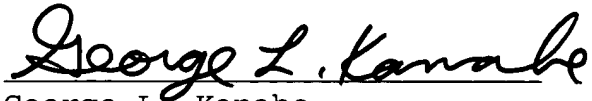
George L. Kanabe
Fish & Neave
1251 Avenue of the Americas
New York, New York 10020-1104

- ☒ A check in the amount of ☒ \$160.00 ☐ \$300.00 in payment of the ☒ appeal fee pursuant to 37 C.F.R. § 1.17(b); ☐ appeal and oral hearing fees pursuant to 37 C.F.R. § 1.17(b) and § 1.17(d) is enclosed.
- ☒ The Director is hereby authorized to charge payment of any additional appeal fee, oral hearing fee, or both, or credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this Notice of Appeal form is enclosed.
- ☐ Please charge ☐ \$160.00 ☐ \$300.00 to Deposit Account No. 06-1075 in payment of the ☐ appeal fee; ☐ appeal and oral hearing fees. A duplicate copy of this Notice of Appeal form is enclosed.

EXTENSION FEE

- ☐ The following extension fee is applicable to the Notice of Appeal filed herewith: ☐ \$55.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.136(a); ☐ \$205.00 extension fee for response within second month pursuant to 37 C.F.R. § 1.136(a); ☐ \$465.00 extension fee for response within third month pursuant to 37 C.F.R. § 1.136(a); ☐ \$725.00 extension fee for response within fourth month pursuant to 37 C.F.R. § 1.136(a); ☐ \$985.00 extension fee for response within fifth month pursuant to 37 C.F.R. § 1.136(a); ☐ \$_____ for additional extension fee beyond that previously paid.

- ☐ A check in the amount of ☐ \$55.00 ☐ \$205.00
☐ \$465.00 ☐ \$725.00 ☐ \$985.00 ☐ \$_____ in
payment of the extension fee is enclosed.
- ☒ The Director is hereby authorized to charge payment
of any additional extension fees required under
37 C.F.R. § 1.17, or credit any overpayment of same,
to Deposit Account No. 06-1075. A duplicate copy of
this Notice of Appeal form is enclosed.
- ☐ Please charge the ☐ \$110.00 ☐ \$380.00 ☐ \$870.00
☐ \$1,360.00 ☐ \$1,850.00 ☐ \$_____ extension fee
to Deposit Account No. 06-1075. A duplicate copy of
this Notice of Appeal form is enclosed.



George L. Kanabe
Registration No. 51,858
Agent for Applicant
Fish & Neave
Customer No. 1473
1251 Avenue of the Americas
New York, New York 10020-1104
Tel.: (212) 596-9000



03-20-03

AF/3727
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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EXPRESS MAIL CERTIFICATION

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Date of Deposit: March 17, 2003

I hereby certify that this certification and the following papers and fees:

1. Notice of Appeal (in duplicate);
2. Check in the amount of \$160.00; and
3. Return Postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and are addressed to Box AF, Honorable Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202.

Name

Lillian Garcia
Lillian Garcia